

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

TATUM STAMLER,

Plaintiff,

v.

Case No. 1:23-cv-110

Judge Michael R. Barrett

GUARDIAN SAVINGS BANK,

Defendant.

**ORDER**

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on June 28, 2023. (Doc. 22). Proper notice was given to the parties under 28 U.S.C. 636(b)(1)(C) and Fed. R. Civ. P. 72(b), including notice that they may forfeit rights on appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); see *Berkshire v. Dahl*, 928 F.3d 520, 530 (6th Cir. 2019). No objections to the R&R (Doc. 22) were filed.

The R&R (Doc. 22) of the Magistrate Judge is hereby **ACCEPTED** and **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Defendant Guardian Savings Bank’s Motion to Dismiss (brought pursuant to Fed. R. Civ. P. 12(b)(1)) (Doc. 12) is **DENIED**.

**IT IS SO ORDERED.**

s/ Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court